

JEFFERSON COUNTY COMMISSIONERS
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TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
May 30, 2006**

Present: Commissioners Lythgoe, Notbohm and Weber; Carl Purdy, IT Manager; Harold Stepper, County Planner; Mike Hoffman, Assistant Planner; Tara Mastel, JLDC/Extension; Tom Harrington, HLDC; Jeremiah Theys, Great West Engineering; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Marga Lincoln, *Helena Independent Record*; Layton Sysum, Laurie Ronane, Eva Young, Carl Bergstrom, Alan Jones, Connie Reber

CALENDAR REVIEW

- 6/1 Courthouse tour - 1:00
- 6/2 Boyd Andrew open house - Helena - 10:00 - 2:00

ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

Carl Purdy, IT Manager, stated that the wireless link between the Library and Health Department and the Courthouse quit over the weekend. He did some checking that morning, and he can replace it for between \$2,500 and \$3,000. Carl said that he doesn't have the money in his budget at this time, but this piece of equipment needs to be replaced. Commissioner Weber moved to fund Carl buying a wireless network link base station and two receiving stations out of PILT. Commissioner Notbohm seconded for discussion. He then asked if would be appropriate for the departments to pay for part of the equipment. Commissioner Lythgoe stated that this equipment is part of the county infrastructure, then asked Carl for his opinion. Carl stated that this type of equipment usually comes out of his budget, but the Library Board paid for the piece of equipment currently in the Library, as it was cheaper to purchase this equipment than to pay for the internet service that the librarian was looking at, and it was easy to piggyback the Health Department onto the system. Commissioner Lythgoe stated that he feels it is appropriate to bill the Library Board and Health Department, noting that they both have money in their budget to cover the expense. Commissioner Weber amended his motion to pay for the purchase of the equipment with PILT and then get reimbursement from the Library Board and Health Department for their portion. Commissioner Notbohm seconded. The motion carried.

Commissioner Weber stated that Fish, Wildlife and Parks and the Jefferson River Watershed group is working on a project in the Parson slough. They have approached Golden Sunlight for
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financial support, and they are looking for letters of support. He would like permission to write such a letter. Commissioner Notbohm asked what the project entails. Commissioner Weber stated that the project will re-open access to the slough for trout habitat. Commissioner Lythgoe and Commissioner Notbohm stated that they are both in support of the project and of Commissioner Weber writing the letter.

SUBDIVISION REVIEW

FINAL PLAT APPROVAL - MONARCH MINOR SUBDIVISION

Harold Stepper, County Planner, presented his staff report, and stated that all conditions have been met with the exception of the completion of the road. The contractor has been paid and the job will be completed by the end of June. Ben is okay with this also. Commissioner Weber moved to grant final plat approval. Commissioner Notbohm seconded. Commissioner Weber asked the status of the road. Harold stated that the road is rough-cut in. Helena Sand and Gravel wanted to do the pre-work themselves. They will put down a base and then the asphalt. The motion carried.

PRELIMINARY PLAT APPROVAL - YOUNG MINOR SUBDIVISION

Mike Hoffman, Assistant Planner, presented his staff report and recommended that preliminary plat approval be granted. Commissioner Weber moved to grant preliminary plat approval. Commissioner Notbohm seconded. Commissioner Weber asked if the existing access road will have to be named, since it will now be accessing more than one home. Mike stated that it will need to be named, and this is being taken care of. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

TARA MASTEL - BUDGET REQUEST

Tara stated that as the fiscal year comes to a close, they are finding that their budget is short in line items 210 through 370. They have transferred funds where available, but still anticipate that they will be approximately \$1,000 short by the end of the fiscal year. This is due to several things: setting up a new office, unexpected computer repairs and increased travel. Today, she is requesting up to \$1,000 to cover overages. Commissioner Notbohm asked if MSU pays part of the Extension office's operating expenses. Tara stated that they pay half of the salaries, but they don't cover any operating expenses. Commissioner Notbohm noted that all of these expenses were unforeseen. Commissioner Lythgoe moved to pay, out of the metal mines fund, to fund line items 210 through 370, up to \$1,000 to get the Extension office through the end of the fiscal year. Commissioner Weber seconded. The motion carried.

Tara stated that, as she mentioned the last time she was before the Commission, the JLDC is at a turning point, as they are at an end of the HUD grant funds. She stated that Commissioner Notbohm has also requested additional information. She would like to request a meeting with the Commissioners on June 22nd to discuss the JLDC budget. Commissioner Lythgoe asked why this should be treated any differently than any other department's budget. Tara stated that since Commissioner Notbohm requested specific information, she would like to invite her board to discuss his concerns and their budget. She also noted that the Concerned Citizens of Boulder

group has expressed an interest. The JLDC will no longer have HUD money, so things will be changing. Commissioner Lythgoe asked Tara to please understand that she has the responsibility to answer questions that come from the public, but she doesn't have to tell people on a week-to-week basis how they operate. He noted that he didn't have the budget schedule with him, but the budget meetings with departments will be in July. He asked if this is that meeting, or if there is a need for two meetings. Tara replied that the reason she wants to have the meeting that week is to have information for the JLDC's annual meeting the following week. Commissioner Lythgoe stated that he doesn't see a problem with this, but this will be the only budget meeting that they will have, unless another is needed.

Tara stated that she has one final item. Since she is new, she would like clarification of what are JLDC expenses and what are County expenses. She recently submitted a claim to attend a tax increment financing workshop and the claim was rejected. There was some discussion among the Commissioners, and none of them were really sure of the reason behind this; it was agreed that this was an accident, and Tara was told to re-submit the claim. Tara stated that the bigger issue is that there are three entities involved, JLDC, the County and MSU. Commissioner Lythgoe stated that she need to make the call regarding who is responsible for payment; if there is money in the budget, a claim should never be rejected.

DISCUSS AND DECIDE ON NORTH JEFFERSON COUNTY INFRASTRUCTURE PLAN AND RID

Jeremiah Theys with Great West Engineering presented the Commission with the final infrastructure study document. He stated that they have finalized the transportation plan and have incorporated comments received. Commissioner Lythgoe asked Jeremiah to summarize. Jeremiah stated that the study was done in northern Jefferson County, going from Jackson Creek Road to the Jefferson/Lewis and Clark County line. They evaluated all roads in the area and came up with recommendation for improvement, with the emphasis being on South Hills Road, Holmes Gulch Road and South Hills Drive. Jackson Creek Road and other roads in that area will be part of phase 2. The plan calls for the widening of roads to meet county standards, and hard surfacing. They also looked at anticipated future traffic volume and made recommendations for future improvements.

Commissioner Lythgoe asked if phase 2 is in writing yet. Jeremiah stated that there is a small report to submit, with the evaluation of the roads and recommendations based on the evaluation. Commissioner Lythgoe stated that it is important that the Commission accepts the study, but they also need to discuss and decide on changes that the Commission has made to the recommendations made by Great West. He is guessing that the study as submitted is different from the discussions they have had, such as double chip seal rather than an asphalt mat to hard surface the roads. Jeremiah stated that changes made to the transportation plan, new roads added, etc., are in the RID document.

Commissioner Weber moved to accept the north Jefferson County Infrastructure Plan. Commissioner Notbohm seconded. The motion carried.

Jeremiah stated that the second item is the creation of the RID and RMD. They have discussed at the last two meetings what roads to include, what improvements to make and how to assess.

He spoke with Commissioner Lythgoe that morning and found that it was his understanding that fees would be assessed per ownership rather than per parcel. He then spoke to Mae Nan, and she indicated that there are various ways to assess, either by GEO code or taxpayer I.D. Commissioner Weber asked if there is a way to break out by land use, for example, in use or bare ground. Jeremiah stated that they can do this.

Jeremiah stated that the recommended improvements in RID #1 will cost approximately \$950,000. With a 20-year bond, the approximately 200 landowners in RID #1 will be charged about \$380/year. RID #2 will cost approximately \$900,000, with a cost to the approximate 350 landowners of \$210/year. Along with this, there will be 500 or so assessments for the combined RMD. The RMD will allow for a chip seal every five years, equipment and maintenance. There will be approximately \$200/year per landowner. This is an average yearly cost; it will vary up and down depending on the improvements and where they are located. Commissioner Lythgoe stated that they wouldn't see as much difference in assessments in RID #1. Jeremiah agreed that this is correct. Commissioner Weber asked if they have gotten anywhere in the discussion with Lime Kiln. Commissioner Lythgoe stated that he spoke with Mike McMahon the previous weekend. Mike feels that the road association may be interested in being absorbed by the RID. There are 14 landowners in the association, and Mike wants to get the description from Great West as to what is proposed for the road before he takes it to the others. Commissioner Lythgoe asked if the proposed costs include moving the utilities. Jeremiah stated that they do.

Jeremiah stated that one issue he has is that Martinez, Ponderosa and Tiger Gulch pretty much dead end. They have figured out where to end the improvements, but he wants to get with Ben for his input.

Commissioner Lythgoe stated that he is having a hard time making the math work. Jeremiah stated that the figure given for the RID assumes five percent interest over 20 years; the RMD will be assessed yearly and charges will be divided between parcels. Commissioner Weber noted that the RMD assessment would change with the addition of new landowners. Jeremiah stated that for any change to be made, the Commission will need to adopt a new resolution.

Commissioner Lythgoe asked those in attendance if \$580/year make them nervous, if the improvements are made and the County takes over responsibility for the roads. Carl Bergstrom stated that certainly it does. He asked what share of this does the county pay. Commissioner Lythgoe stated that as far as hard dollars, nothing. Carl stated that he asks because the county paid for all of the miles of road in the county and maintains them. Commissioner Lythgoe stated that the county doesn't pay any hard dollars, but sustains wear and tear to the equipment. He noted that what is happening across the country is that there is not enough money from taxpayers to make roads safe. He said that if you look at your tax bill, most people are probably not paying \$40/year to the road department. With the growth in the county, the county can't take on any additional road work without extra funding. Homeowner's associations are approaching the county about RIDs, but what happens is that you end up with a bunch of small RIDs. They are trying to develop a process where they can have a larger RID/RMD, and the county takes over the maintenance, rather than the homeowners association having to contract for maintenance. The county can't just take on this maintenance, there is no money. There is a demand from the

people for better roads, but they need to understand that they will have to pay for it.

Carl asked if the current 200 owners jumps to 400 in five years, will the charges change. Commissioner Lythgoe stated that the RMD amount can be adjusted yearly, but the RID amount will be spent in the first year and new owners will not be paying on that amount. Carl asked about those that own multiple lots. Commissioner Lythgoe noted that when those lots sell, the owner can re-coup some of that \$380/year from the new buyer. Jeremiah stated that the RID is set up as a lien against the parcel; if someone subdivides, they can set a lien against the new lot.

Commissioner Lythgoe stated that the Commission decided to start this project on the north end as that area has the greatest population growth. The plan is to implement in the rest of the county, because people want the roads improved and the county doesn't have the funds to do it. The only other way to fund improvements is with an increase of the road mill. This is more fair, as people are paying for their own improvements.

Carl asked if the state or the county or the homeowners are responsible for the approach onto highway 282. Commissioner Lythgoe stated that with the South Helena interchange being built, as well as the frontage road being improved all the way to Helena, it will be taken care of.

Carl stated that the plan sounds fine, especially the maintenance part. Commissioner Lythgoe noted that taxes in Jefferson County are about half of what they are in Lewis and Clark. As for homeowner's association dues, about half go to roads, but they don't work well. This fee should replace homeowner's association fees. Commissioner Notbohm noted that property values will go up with improvements. Commissioner Lythgoe stated that dust is currently a problem, but won't be after the improvements. Carl stated that his concern is if he subdivides, he would be paying the fee on all of the lots. Commissioner Lythgoe stated that this is a concern of his also; he doesn't want that to happen.

Alan Jones stated that regarding how much people pay on their taxes for roads, his comes to about \$50/year, and he knows this doesn't amount to much. He said they have the fire department voted in and they have money coming out of their ears; search and rescue has also been voted in. The priorities seems to be out of whack. It doesn't make sense that the county can't get money for the road department. Commissioner Lythgoe agreed that it doesn't make sense, but that is the reason they have to look for other ways to fund. Commissioner Weber noted that everyone feels that their road dollars go elsewhere, but this alleviates that problem. The money stays where it is assessed. Commissioner Lythgoe stated that he believes they are pretty fair with the money and where it is spent, but there just isn't enough there to do what needs to be done. They need to form RIDs to pay for the needed work. Alan stated that there are roads in various subdivision that were hard surfaced when there was no money, but they were done. Commissioner Lythgoe agreed that the County is doing maintenance in subdivisions that they shouldn't be, but agreements were made by past Commissions. This is the best way to fairly get the improvements done.

Carl stated, going back to the \$380/year for the RID, if there are 100 new landowners, they don't have to pay? Commissioner Lythgoe stated that this was correct. Carl asked if there are any

state or federal monies available. Commissioner Lythgoe stated that there isn't; there isn't a lot of money available. He has applied to Bacus' office for funding. Commissioner Weber stated that, basically, current landowners will be paying whatever portion of \$950,000. With the bonding, they will be able to pay it back over 20 years, rather than in one lump sum. That is why they can't charge new landowners.

Commissioner Lythgoe stated that he thinks the Commission can adopt the concept of the RID and RMD. They do still need Mae Nan to nail down the dollar amount. Jeremiah stated that the next step is to get the number to Mae Nan and she will write the resolution of intent. Commissioner Lythgoe asked when the next public meeting will be scheduled. Jeremiah stated that when they get everything finalized with Mae Nan, which should take two to three weeks, he will get a firm date and get back to the Commission.

Commissioner Notbohm moved to go forward with the plan as discussed regarding the formation of two RIDs and a RMD to prepare for the ballot to go forward. Commissioner Weber seconded. The motion carried.

DISCUSS CDBG ECONOMIC DEVELOPMENT GRANT FOR ROAD INFRASTRUCTURE STUDY

This item was tabled until a future meeting.

DISCUSS AND DECIDE ON LEASE AGREEMENT WITH BOYD ANDREW

Commissioner Lythgoe stated that there is still one piece that is missing, and they hope to finalize this at the next meeting.

DISCUSS AND DECIDE ON CHANGING THE COUNTY INSURANCE COVERAGE FROM TEAMSTERS TO EBMS

Commissioner Notbohm stated that this came to a vote of the employees, and the results were 50 in favor of changing and 3 against. He noted what prompted the County to look for another insurance carrier is that three years ago there was a 14% increase in the premium, two years ago it was 14% and last year it was increased 30%. The problem with finding different insurance coverage in the past was that Teamsters doesn't give the county's experience, so other companies wouldn't even give us a quote. Switching to EBMS will give the county a saving of approximately \$13/month per person, with the added inclusion of eye and dental coverage.

Commissioner Weber moved to change the County's insurance provider from Teamsters to EBMS. Commissioner Lythgoe seconded. The motion carried. Commissioner Notbohm stated that he will notify Carla and EBMS.

OPPORTUNITY FOR PUBLIC COMMENT

Tom Harrington informed the Commission that there has been quite a bit of exploration in the County lately. The previous week he spoke to one company in the Pipestone area. There is also an exploration company in the Bernice area who is looking to expand their exploration. They are currently dealing with the Forest Service. There is also exploration in the Elkhorn area, and all

of these companies are working with DEQ. He stated that this is a good time for the Commissioner to be aware of this and to give their support.

Tom Harrington further stated that the Board of Environmental Review had proposed some very restrictive language regarding water quality, and the decision is scheduled to come done later that week. He noted that the DEQ has taken no opinion on the issue.

Jan Anderson, editor of the *Boulder Monitor* and the *Jefferson County Courier*, introduced Sarah Swan, her summer intern.

Connie Reber stated that she is a new Jefferson County resident. She sent in a letter some months ago regarding the speed limit on 282. She has been almost rear-ended many times when turning into her drive. She has been told that the speed is controlled by MDT. Her concern is that someone is going to be killed. Commissioner Lythgoe stated that the Commission has ordered a speed study on that portion of the road, and he believes that the study has been done, but they haven't heard a recommendation yet. He will check into this. Commissioner Notbohm stated that if it were up to the County, there would be a lower speed limit. She should ask her friends to drive by example.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

TOMAS E. LYTHGOE, CHAIR

CHUCK NOTBOHM, COMMISSIONER

KEN WEBER, COMMISSIONER